JOURNAL

OF THE

House of Representatives

OF THE

COMMONWEALTH OF KENTUCKY

EXTRAORDINARY SESSION OF 1959

Held in the State Capitol in the Capital City of Kentucky, at
Frankfort, in the Year of Our Lord 1959 and
in the One Hundred and Sixty-Eighth
Year of the Commonwealth

Begun on the Twenty-second Day of December, 1959, and
Adjourned Sine Die on the Thirtieth Day of
December, 1959

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JOURNAL OF THE SESSION

OF THE

House of Representatives

OF THE

COMMONWEALTH OF KENTUCKY

FIRST EXTRAORDINARY SESSION OF 1959

TUESDAY, DECEMBER 22, 1959

FIRST LEGISLATIVE DAY

At an Extraordinary Session of the General Assembly of the Commonwealth of Kentucky, held at the Capitol in the City of Frankfort, and begun on December 22, 1959, and in the one hundred and sixty-eighth year of the Commonwealth, in compliance with a proclamation issued by the Governor of the Commonwealth, the House of Representatives was called to order by the Honorable Morris Weintraub, Speaker of the House of Representatives.

Prayer by the Reverend J. Carter Roberts of the Church of Nazarene of Frankfort.

The Clerk read the following proclamation:

PROCLAMATION

TO ALL MEMBERS OF THE GENERAL ASSEMBLY OF THE COMMONWEALTH OF KENTUCKY, GREETINGS:

In accordance with the power vested in me by Section 80 of the Constitution of Kentucky to convene the General Assembly into Extraordinary Session, as Governor of the Commonwealth, I, Bert Combs, do issue this, my proclamation, convening the General Assembly of Kentucky into Extraordinary Session at the seat of government at Frankfort, Kentucky, at 12:00 Noon, CST, on Tuesday, December 22, 1959, for the sole purpose of considering the following subject:

(1) Any act or acts necessary to take the sense of the people of the state as to the necessity and expediency of calling a convention for the purpose of a limited revision of the Constitution of

the Commonwealth and such amendments as may have been made to it, as provided by Section 258 of the present Constitution of Kentucky.

You will, therefore, in accordance with this proclamation, assemble in Extraordinary Session at the seat of Government at Frankfort, Kentucky, on the day and hour above written, to consider the subject herein mentioned, and only said subject.

Done at Frankfort, Kentucky, this the nineteenth day of December, in the Year of our Lord One Thousand Nine Hundred and Fifty-nine, and in the Year of the Commonwealth, the One hundred and Sixty-eighth.
Bert Combs
Governor

Thelma L. Stovall
Secretary of State

The Clerk produced and read the following certificate from the Secretary of State:

I, Thelma L. Stovall, Secretary of State of the Commonwealth of Kentucky, do hereby certify that the attached, to the best of my knowledge and belief, is a correct list of the duly elected and qualified members of the Legislature for 1958 of the Commonwealth of Kentucky, as disclosed by the records in the office of the Secretary of State of the Commonwealth of Kentucky and other information available.

Given under my hand and seal of office, this 22nd day of December, 1959.

Thelma L. Stovall
Secretary of State
Commonwealth of Kentucky

MEMBERS OF HOUSE OF REPRESENTATIVES
1958 KENTUCKY GENERAL ASSEMBLY

District	Name	District	Name
1		5	R. C. McGuire, Jr. (D) 2601 Bridge Street Paducah, Kentucky
2	George H. Lovelace (D) Barlow, Kentucky	6	Shelby McCallum (D) Benton, Kentucky
3	Lon Carter Barton (D) Mayfield, Kentucky	7	Owen Billington (D) 509 N. 7th Street Murray, Kentucky
4	Charles Allen Williams (D) 426 N. 36th Street Paducah, Kentucky	8	Joe E. Nunn (D) Cadiz, Kentucky

District	Name
9	T. Fowler Combs (D) Pembroke, Kentucky
10	Edgar F. Arnold, Jr. (D) Madisonville, Kentucky
11	E. E. Cook, (D) Smithland, Kentucky
12	Will Tom Wathen (D) Morganfield, Kentucky
13	Richard Hopkins (D) Calhoun, Kentucky
14	
15	Patrick Tanner 2002 Mayfair Drive Owensboro, Kentucky
16	R. Douglas Ford (D) Route 5 Owensboro, Kentucky
17	James P. Hahn (D) 305 Bank Street Greenville, Kentucky
18	Wayland Render (R) Centertown, Kentucky
19	Orville F. Finney (D) Route 2 Guthrie, Kentucky
20	Paul E. Young (D) Olmstead, Kentucky
21	Willie McReynolds (D) Scottsville, Kentucky
22	Paul R. Huddleston (D) 1032 College Street Bowling Green, Kentucky
23	W. F. Davis (R) Brownsville, Kentucky
24	Homer Hodges (R) Leitchfield, Kentucky
25	Paul Ford Davis (D) White Mills, Kentucky
26	Ralph O. Stith (D) Guston, Kentucky
27	James H. Newberry (D) Hiseville, Kentucky
28	Wallace Bartley (R) Route 2 Summer Shade, Kentucky
29	Ben Burress (R) Greensburg, Kentucky
30	C. J. Richards (D) 331 Forest Street Lebanon, Kentucky
31	Vernon Reed (D) Hodgenville, Kentucky
32	Alvan W. Wells (D) 112 S. Third Street Bardstown, Kentucky
33	D. C. Casey, Jr. (D) Route 2 Mt. Eden, Kentucky
34	Marlow W. Cook (R) 104 Ashland Road Louisville, Kentucky
35	Thomas L. Ray (D) 3 Club Hill Drive Fairdale 2, Kentucky
36	William J. Crecelius (D) 325 S. Peterson Avenue Louisville, Kentucky
37	
38	Clarence R. Miller (D) 614 E. Brandeis Louisville, Kentucky
39	John W. Farmer (D) 1481 St. James Court Louisville, Kentucky
40	Edwin A. Rausch (D) 625 Floral Terrace Louisville, Kentucky
41	Charles E. Baumgardner, Sr. 3915 Taylor Blvd. (D) Louisville, Kentucky
42	Felix S. Anderson (D) 650 S. 21st Street Louisville, Kentucky
43	Albert Steiger, Jr. (D) 2324 Greenwood Louisville, Kentucky
44	Eulick Walsh (D) 746 S. 39th Street Louisville, Kentucky

District	Name
45	Jack Raybourne, Jr. (D) 233 Virginia Avenue Springfield, Kentucky
46	Ed Kubale, Jr. (D) Danville, Kentucky
47	Jerry W. Parrish (D) Route 4 Richmond, Kentucky
48	Robert L. Gullette (D) 107 W. Walnut Street Nicholasville, Kentucky
49	
50	
51	Alton Moore (D) Frankfort, Kentucky
52	Paul T. Ratcliffe (D) 1307 Main Street Shelbyville, Kentucky
53	Otis R. Chaudoin (D) 123 Tulip Avenue Pewee Valley, Kentucky
54	T. Herbert Tinsley (D) Warsaw, Kentucky
55	Ed Thomas (D) Dry Ridge, Kentucky
56	W. K. Henry (D) Georgetown, Kentucky
57	Roy Searcy (D) Carrollton, Kentucky
58	Gilbert W. Kingsbury (D) 210 Edgewood Ft. Mitchell, Kentucky
59	Vernor O. Cottengim (D) 4312 Church Street Covington, Kentucky
60	John J. Isler (D) 1813 Jefferson Avenue Covington, Kentucky
61	Thomas P. Fitzpatrick (D) 305 W. Sixth Street Covington, Kentucky
62	Charles W. Wirsch (R) Highland Heights, Kentucky
63	Morris Weintraub (D) 321 York Street Newport, Kentucky
64	Finnell L. Fields (D) Brooksville, Kentucky
65	Addison L. Everett (D) Maysville, Kentucky
66	True Mackey (D) Mount Olivet, Kentucky
67	Brooks Hinkle (D) Route 3 Paris, Kentucky
68	William W. Haley (D) 18 French Avenue Winchester, Kentucky
69	Stanley R. Thomas (D) Route 3 Mt. Sterling, Kentucky
70	Charles H. Hart (D) Sharpsburg, Kentucky
71	Hobart Rayburn (R) Vanceburg, Kentucky
72	James William Lyon (D) Greenup, Kentucky
73	Roger E. Qualls (R) Olive Hill, Kentucky
74	Bill Cornett (D) Hindman, Kentucky
75	Edward E. Bach (D) Campton, Kentucky
76	Russell Reynolds (D) Box 103 Beattyville, Kentucky
77	A. F. Bush (D) Ravenna, Kentucky
78	Carl R. Reynolds (R) Booneville, Kentucky
79	Murphy Whitehead (R) Brodhead, Kentucky
80	Emery Wilson (D) Stanford, Kentucky
81	Orvin G. Coffey (R) Jamestown, Kentucky
82	Claude R. Willen (R) Burkesville, Kentucky

District	Name	District	Name
83	Archie Brown (R) Stearns, Kentucky	92	
84-	Leonard Hislope (R) 107 Church Street Somerset, Kentucky	93	Chester Duff (R) Box 455 Hazard, Kentucky
85	Warren Peace (R) Rockhold, Kentucky	94	Jack Sowards (R) Route 2 Shelbiana, Kentucky
86	Paul W. Cornett (R) Mershons, Kentucky	95	Dr. W. J. Smith, M.D. (D) Belfrey, Kentucky
87	Charles W. Buchanan (R) Box 448 Barbourville, Kentucky	96	Sam Hale (D) West Prestonsburg, Kentucky
88	D. W. Howard (R) Pineville, Kentucky	97	Mrs. Ann Butcher Hall (D) Bypro, Kentucky
89	W. A. Buckner (R) Box 97 Evarts, Kentucky	98	Albert Dempsey (R) Inez, Kentucky
90	H. Nick Johnson (R) Box 1000 Harlan, Kentucky	99	John W. Greene (D) Sandy Hook, Kentucky
91	Clay Gay (R) Box 43 Hyden, Kentucky	100	Harry K. Lowman (D) P. O. Box 1186 Ashland, Kentucky

The roll was called. All 94 members present except Representatives M. W. Cook, and Gay.

The Speaker vacated the Chair and Representative Fitzpatrick was appointed Speaker pro tempore.

Introduction of Resolutions

HR 1, by Representative Everett:

A RESOLUTION pertaining to the rules of the House of Representatives.

Be it resolved by the House of Representatives of the General Assembly of the Commonwealth of Kentucky:

That the rules adopted by the House of Representatives for the Regular Session of 1958 be adopted as the rules governing the Extraordinary Session beginning December 22, 1959.

Representative Everett moved adoption of **HR 1.** Adopted.

HR 2, by Representative Everett:

A RESOLUTION directing appointment of a committee to notify the Senate of the organization of the House of Representatives and to wait upon the Governor.

Be it resolved by the House of Representatives of the General Assembly of the Commonwealth of Kentucky:

That the Speaker of the House of Representatives appoint a committee of five members to notify the Senate that the House is organized and ready for the transaction of business, and that this committee meet with a like committee to be appointed by the President of the Senate, and that the joint committee notify the Governor of the Commonwealth that the 1959 Extraordinary Session of the General Assembly of the Commonwealth of Kentucky is duly organized and ready to receive any message that he may desire to deliver.

Representative Everett moved adoption of **HR 2**. Adopted.

HR 3, by Representative Everett:

A RESOLUTION empowering the Speaker of the House of Representatives to appoint committees authorized under the rules.

Be it resolved by the House of Representatives of the Commonwealth of Kentucky:

That the Speaker of the House of Representatives shall appoint a Rules Committee as authorized by Rule 35, Rules of the House of Representatives, 1958 Session.

That the Speaker of the House of Representatives is authorized to appoint an Enrollment Committee as provided by the 1958 Rules of the House of Representatives.

Representative Everett moved adoption of **HR 3**. Adopted.

HR 4, by Representative Everett:

A RESOLUTION pertaining to officers and employes of the House of Representatives.

Be it resolved by the House of Representatives of the General Assembly of the Commonwealth of Kentucky:

That the officers and employes authorized by the constitution elected and appointed for the Regular Session of the 1958 House of Representatives be continued in their respective offices for this, the 1959 Extraordinary Session of the General Assembly of the Commonwealth of Kentucky.

Representative Everett moved the adoption of **HR 4**. Adopted.

HR 5, by Representative Everett:

A RESOLUTION extending an invitation to the pastors of Frankfort churches to open sessions of the House of Representatives with prayer.

Be it resolved by the House of Representatives of the General Assembly of the Commonwealth of Kentucky:

That the Sergeant-at-arms be directed to invite the pastors of the various churches to attend the meetings of this House and open the sessions thereof with prayer.

Representative Everett moved adoption of **HR 5**. Adopted.

HR 6, by Representative Everett:

A JOINT RESOLUTION appropriating money for the 1959 Extraordinary Session of the General Assembly of the Commonwealth of Kentucky.

Be it resolved by the General Assembly of the Commonwealth of Kentucky:

Section 1. That there is hereby appropriated out of the General Expenditure Fund for the payment of salaries and other expenses of the 1959 Extraordinary Session of the General Assembly the sum of seventy-five thousand ($75,000) dollars.

Section 2. That whereas funds heretofore appropriated for sessions of the General Assembly are exhausted, an emergency is declared to exist and this resolution shall become effective immediately upon its passage and approval by the Governor.

The Speaker referred **HR 6** to Rules Committee.

APPOINTMENT OF COMMITTEE

The Speaker announced all members of House are members of the Rules Committee.

The Speaker appointed as a Committee to wait upon Governor and notify that House is organized: Buchanan, Everett, Hale, Hall, Greene and Young.

The Speaker pro tem Fitzpatrick vacated Chair. Representative Lowman presiding.

JOINT SESSION

The Committee appointed to wait upon the Governor reported that the Governor was ready to address a Joint Session of the General Assembly.

The Senate entered upon the floor of the House and the Honorable Wilson Wyatt, Lieutenant-Governor and President of the Senate, assumed the Chair and called the Joint Session to order.

Prayer by Reverend J. Carter Roberts, of the Church of Nazarene, Frankfort.

Representative Everett moved the Senate and House go into Joint Session. Adopted.

The Committee appointed to wait upon the Governor appeared with His Excellency, Bert Combs, Governor of the Commonwealth of Kentucky, who took his place at the Clerk's desk.

The Governor addressed the General Assembly as follows:

December 22, 1959

Mr. President of the Senate, Mr. Speaker of the House, Members of the General Assembly:

You have been called into extraordinary session to consider the advisability of acts necessary to take the sense of the people on calling a convention for the purpose of a *limited revision* of the State Constitution.

The present Constitution is the fourth since Kentucky became a state in 1792. Our first Constitution remained in effect only 7 years. The second was in force for approximately 50 years. The third met the needs of the state for 41 years. The present Constitution is now 68 years old. It contains more than 16,500 words. It is approximately 5 times the length of the Constitution of the United States and is 5 times as long as the Magna Charta. It contains detailed and specific legislation which has grown obsolete during the past 68 years.

When the present Constitution was written, the state was not concerned with highway construction, public assistance, juvenile delinquency, public or mental health, or many other major problems which confront us today. There were no automobiles, no radios, and no television. The airplane was still a dream in the minds of visionary people, and atomic energy, minimum wages, Social Security and the 40-hour week had not even reached the discussion stage. Only a few homes had running water. There were few telephones. The great majority of our people had never seen an electric light. This is the Constitution under which the Commonwealth must operate today. The state cannot go forward as it should without some constitutional changes.

The Constitution may be changed by either of two methods: amendment or convention.

The amendment method is slow and cumbersome. No more than two amendments may be submitted at one time. Only 19 amendments have been approved in 68 years. The second method, that is, a complete rewriting of the Constitution by a convention, has been rejected by the people twice in the past 30 years, to-wit, 1931 and 1947. There are those who would not change the Constitution one iota. Others would recommend a complete rewriting of the instrument. I think there is a middle ground between the two extremes. So, I have asked you to convene here today to consider the advisability of taking the sense of the people on the question of a *limited revision* of our Constitution. Many of the basic provisions of the present Constitution are sound and workable. For instance, it is my judgment that the Bill of Rights should be left intact.

The procedure for change is set forth in Sections 258 through 263 of the present Constitution. That procedure may be summarized as follows:

A majority of the members of two separate General Assemblies must approve a resolution to take the sense of the people. If the people, by their vote, approve the calling of a convention, the General Assembly shall, at its next regular session, provide for the election of delegates of the same number as there are members of the House of Representatives. The delegates shall met within 90 days after their election and proceed with their task. The result of their work will then be submitted to the people for their approval or disapproval.

You are not here today to revise or amend the Constitution or even to anticipate such a result. You are not here today to approve or disapprove the calling of a Constitutional Convention. You are here today only for the purpose of considering the advisability of taking a preliminary step—a preliminary step which will permit the next General Assembly to consider whether to take the sense of the people on the calling of a convention for a limited revision of the Constitution. The action you take at this session will in no sense be final. But, if you do take this preliminary step, you will make it possible to reduce the time-table for constitutional change from six years to four years. You will confer upon the next Legislature the discretionary authority to permit the people of Kentucky to vote on the question of constitutional change in the fall of 1960 rather than in the fall of 1963.

We hear much talk about three coordinate branches of government, each operating within its own sphere, free from domination or coercion. We should never forget, however, that each branch of government and every member thereof should be responsive to the will of the people of Kentucky. By calling you here today, I, as head of the Executive Department, have demonstrated my confidence in you as members of the Legislative branch. I submit that you should demonstrate your confidence in the people of Kentucky by taking this preliminary step which will permit the people to decide whether they desire constitutional change. Our Constitution provides the method by which the instrument can be changed. The framers contemplated that changes would be necessary. I am merely requesting that you permit the next Legislature and then the people of Kentucky to determine whether they desire constitutional change.

In the interest of economy and frugality, permit me to urge that you deal with the subject of the proclamation with efficiency and dispatch. As you have only this one question before you and a limited time until your terms expire, a minimum of legislative employees will be required. I trust that every effort will be made to keep the cost of this session at a minimum.

I shall now read the resolution which I propose and recommend to you for your consideration. The resolution includes only those sub-

jects covered in the present Constitution which almost every thoughtful person agrees are in the greatest need of revision. It is my considered judgment that this resolution will accomplish the purpose for which you have convened and will merit the approval of the thoughtful and intelligent citizens of our Commonwealth.

Representative Everett moved that the Joint Session of the General Assembly dissolve. Adopted.

Representative Lowman resumed the Chair and called the House to order.

Speaker Weintraub in a message tendered his resignation as Speaker of House. Accepted.

Frankfort, Kentucky,
December 22nd, 1959.

TO THE HOUSE OF REPRESENTATIVES
OF THE COMMONWEALTH OF KENTUCKY:

It is with deep regret and great feeling of emotion that because of circumstances and conditions beyond my control, I must, and do hereby resign as Speaker of the House of Representatives of the Commonwealth of Kentucky.

Morris Weintraub

Representative Huddleston moved Representative Weintraub be granted privilege of the floor for the remainder of this session. Adopted.

Representative Huddleston moved Rules be suspended to elect Speaker of House. Agreed.

Representative Huddleston nominated Representative Fitzpatrick for Speaker.

Representative Everett seconded. Agreed.

Chief Justice Morris Montgomery administered oath of office to Representative Fitzpatrick.

Speaker Fitzpatrick assumed the Chair.

Representative Lowman moved rules be suspended for introduction of bills. Agreed.

Speaker Fitzpatrick repeated order that all Members are Members of the Rules Committee.

Introduction of Bills

HB 1, by Representative Lowman:

IN HOUSE
EXTRAORDINARY SESSION, 1959

HOUSE BILL NO. 1

TUESDAY, DECEMBER 22, 1959

AN ACT relating to the taking of the sense of the people of the state as to the necessity and expediency of calling a Constitutional Convention for the purpose of revising or amending the Constitution of the Commonwealth of Kentucky, and such amendments as may have been made to the same, as provided by Section 258 of the present Constitution of Kentucky.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Section 1. That the sense of the people of the state as to the necessity and expediency of calling a convention for the purpose of revising or amending the present Constitution, and such amendments as may have been made to the same, shall be taken as herein provided and as provided in Section 258 of the Constitution of Kentucky.

Section 2. When this act is passed at the present session of the General Assembly by a majority of all members elected to each house of the present General Assembly, that is, when a majority of all the members of each house shall concur by a yea and nay vote, to be entered upon their respective journals, this act shall be spread upon the respective journals of each house as a law.

Section 3. If the next General Assembly shall, in like manner, concur in this act after it becomes a law as herein provided, it shall provide for having a poll opened in each voting precinct in this state by the officers provided by law for holding general elections at the next ensuing regular election to be held for state officers which does not occur within ninety days from the final passage of such law, at which time and places the votes of the qualified voters shall be taken for and against calling the convention, in the same manner provided by law for taking votes in other state elections. The vote for and against said proposition shall be certified to the Secretary of State by the same officers and in the same manner as in state elections. If it shall appear that a majority voting on the proposition was in favor of calling a convention, and if the total number of votes for the calling of the convention is equal to one-fouth of the number of qualified voters who voted in the last preceding general election in this state, the Secretary of State shall certify the same to the General Assembly at its next regular session, at which session a law shall be enacted calling a convention to revise or amend the present Constitution of this State, and

such amendments as may have been made thereto, only with respect to the subjects set out in Section 4 of this act, and no others. Nothing in this act shall be construed to permit any change in the Bill of Rights.

Section 4. The convention provided to be called by this act shall be limited in its consideration to the following subjects and shall consider no others:

(1) The organization and powers of municipal, county and other local governments.

(2) The judicial department and courts.

(3) Compensation of public officers and employes.

(4) The order of succession of persons entitled to act as Governor and the circumstances under which the Governor is disqualified to act.

(5) Misfeasance, malfeasance and nonfeasance of public officers.

(6) Official oaths.

(7) The Railroad Commission.

(8) The Legislative Department.

(9) The mode of revision or amendment of the Constitution.

(10) Incompatibility of offices.

(11) Terms and tenure of state officers other than Governor and Lieutenant Governor.

(12) Removal of limitations on the holding of real estate.

Section 5. Before any Constitution agreed upon by a convention that may be called pursuant to this act and to Section 258 of the present Constitution shall take effect and become operative, the same shall be submitted to the qualified voters of this Commonwealth, after at least ninety days' notice, and ratified by a majority of those voting

The Speaker referred **HB 1** to Rules Committee.

Recess

Representative Everett moved that the House recess for meeting of Rules Committee. Agreed.

Speaker Fitzpatrick resumed the Chair and called House to order. Agreed.

Representative Lowman moved rules suspended for Committee Report. Agreed.

Committee Report

Committee on Rules reported **HR 6** and **HB 1** with the expression of opinion that the same should pass. Read at length for the first time and ordered placed in the Calendar.

Introduction of Bills

HR 7, by Representatives Hale, Lovelace and Kingsbury:

A RESOLUTION adjourning the House of Representatives in memory of the deceased members of the 1958 Session of the General Assembly.

Be it resolved by the House of Representatives of the General Assembly of the Commonwealth of Kentucky:

Section 1. That when the House of Representatives of the General Assembly of the Commonwealth of Kentucky does adjourn on Tuesday, December 22, 1959, it does so in memory of the following deceased members of the 1958 Session: Honorable John Alves Clore, District No. 14; Honorable Huston Jack Johnson, District No. 1; and Honorable Hillard Kincer, District No. 92.

Section 2. That this Resolution be spread upon the record of proceedings of the House of Representatives.

Section 3. That the Clerk of the House of Representatives is directed to forward a copy of this Resolution to the families of the respective deceased members of the 1958 Session.

Representative Hale moved adoption of **HR 7.** Adopted.

Representative Everett moved that the House adjourn until 9:00 A.M. (Central Standard Time), December 23. Agreed.

WEDNESDAY, DECEMBER 23, 1959

SECOND LEGISLATIVE DAY

The House convened and was called to order by Representative Harry King Lowman.

Prayer by Dr. Fred T. Moffatt of the First Baptist Church, Frankfort, Kentucky.

The roll of the House was called present except Buckner, M. W. Cook, Duff, Farmer, Fields, Finney, Fitzpatrick, Hart, Howard, Johnson, Kingsbury, Kubale, Rayburn, Reed, Sowards, Ed Thomas, Walsh, Wathen, and Williams.

Motions

Representative Everett moved that the absent members be granted leaves of absence. Agreed.

Representative Isler moved that the reading of the Journal of the proceedings of Tuesday, December 22, 1959, be dispensed with and the same be approved.

Said motion was agreed to.

Representative Rayburn moved deceased Members families be paid per diem. Agreed.

Representative Rayburn vacated Chair. Representative Huddleston presiding.

Calendar

HR 6, HB 1 were taken from the Calendar and read at length for the second time. Ordered placed in Orders of the Day.

Representative Lowman moved Rules be suspended for introduction of Resolution.

Introduction of Resolution

HR 8, by Representative Lowman:

A CONCURRENT RESOLUTION pertaining to adjournment of the General Assembly.

Be it resolved by the House of Representatives of the General Assembly of the Commonwealth of Kentucky, the Senate concurring:

That when the Senate and the House of Representatives adjourns on December 23, 1959, they do so to reconvene on Monday, December 28, 1959, the Senate at the hour of four o'clock p.m. CST, the House at the hour of one o'clock, p.m., CST.

On roll call, the vote was: Yeas 60—Anderson, Arnold, Bach, Baumgardner, Billington, Burress, Bush, Chaudoin, Combs, E. E. Cook, Bill Cornett, P. W. Cornett, Crecelius, P. F. Davis, W. F. Davis, Finney, Ford, Gay, Gullette, Hahn, Hale, Haley, Hall, Hart, Hinkle, Hislope, Hopkins, Huddleston, Isler, H. N. Johnson, Kubale, Lovelace, Lyon, McCallum, McGuire, McReynolds, Mackey, Miller, Moore, Newberry, Nunn, Parrish, Ratcliffe, Rausch, Ray, Raybourne, Rayburn, Render, C. R. Reynolds, Richards, Searcy, Smith, Steiger, Stith, Tinsley, Wells, Willen, Wilson, Wirsch, Young. Nays 2—Dempsey, Peace.

Representative Lowman moved that the vote by which said resolution was passed be reconsidered. Agreed.

Representative Lowman moved to amend **HR 8** as follows:

Amend printed copy of H. Res. No. 8 on page 1, section 1, line 3 between the words "of" and "o'clock" change the word "seven" to the word "four".

Representative Lowman moved adoption of **HR 8**, as amended. Agreed.

Senate Message

Senate message announcing passage of **HR 8**.

Representative Lowman moved to adjourn until 1:00 P.M., (CST), December 28.

Representative Lowman moved to withdraw his motion to adjourn in order to receive resolutions.

Representative Cottengim moved to suspend the Rules for the purpose of introducing resolutions.

Introduction of Resolutions

HR 9, by Representative Cottengim:

A RESOLUTION expressing the concern of the House of Representatives for the speedy recovery of the Speaker of the House of Representatives.

WHEREAS, the Honorable Thomas P. Fitzpatrick has served the House so faithfully and in so many capacities over the several years he has represented the people of the 61st district; and

WHEREAS, his persistent efforts in behalf of his constituency and the Commonwealth of Kentucky have resulted in his being taken ill while in attendance at the 1959 Extraordinary Session;

Be it resolved by the House of Representatives of the General Assembly of the Commonwealth of Kentucky:

That the House of Representatives hereby expresses to the Speaker, his family and his many friends, its concern for the health of its Speaker and hereby assures the Speaker that he will be missed

by every member of the House until his return; and that the prayers of his fellow legislators are for his speedy recovery.

Representative Cottengim moved adoption of **HR 9**. Adopted.

HR 10, by Representative Hislope:

A RESOLUTION expressing concern for the health and recovery of the Honorable Marlow Cook.

Be it resolved by the House of Representatives of the Commonwealth of Kentucky:

That the House of Representatives hereby expresses its concern over the very recent illness of its member, the Honorable Marlow Cook, and further that the prayers and wishes of its members are for the speedy recovery and return of Mr. Cook to his seat in the House of Representatives.

Representative Hislope moved adoption of **HR 10**. Adopted.

Representative Lowman moved to adjourn until 1:00 P.M., (CST), December 28. Agreed.

MONDAY, DECEMBER 28, 1959

FIFTH LEGISLATIVE DAY

The House convened and was called to order by Representative Harry King Lowman.

Prayer by Dr. Fred T. Moffatt of the First Baptist Church, Frankfort, Kentucky.

The Clerk announced due to the Speaker's illness and hospitalization, Representative Harry King Lowman would preside.

The roll of the House was called. All present except Billington, Buckner, Burress, M. W. Cook, Finney, Fitzpatrick, Hodges, Johnson, Qualls, Rayburn and Steiger.

Motions

Representative Isler moved that the absent members be granted leaves of absence. Agreed.

Representative Lyons moved that the reading of the Journal of the proceedings of Wednesday, December 23, 1959, be dispensed with and the same be approved.

Said motion was agreed to.

Representative Lowman vacated Chair. Representative Huddleston presiding.

Orders of the Day

HR 6 taken from Orders of the Day on recommendation of Rules Committee. Representative Everett moved that it be placed on passage. Agreed. Read at length for the third time.

On roll call, the vote was: Yeas 76—Anderson, Arnold, Bach, Bartley, Barton, Billington, Brown, Buchanan, Burress, Bush, Chaudoin, Coffey, Combs, E. E. Cook, Bill Cornett, P. W. Cornett, Cottengim, Crecelius, P. F. Davis, W. F. Davis, Dempsey, Everett, Farmer, Fields, Ford, Greene, Gullette, Hahn, Hale, Haley, Hall, Hart, Henry, Hinkle, Hislope, Hopkins, Howard, Huddleston, Isler, Kingsbury, Kubale, Lovelace, Lowman, Lyon, McCallum, McGuire, McReynolds, Mackey, Moore, Newberry, Nunn, Parrish, Peace, Qualls, Ratcliffe, Rausch, Ray, Raybourne, Reed, Render, C. R. Reynolds, R. Reynolds, Richards, Searcy, Smith, Stith, Tanner, Tinsley, S. R. Thomas, Walsh, Wathen, Wells, Williams, Wilson, Wirsch, Young. Nays: 1—Whitehead.

HR 6 was passed and the title agreed to.

Representative Lowman moved that the vote by which said bill was passed be reconsidered and said motion be laid on the table. Agreed.

HB 1 taken from Orders of the Day on recommendation of Rules Committee. Representative Everett moved that it be placed on passage. Agreed. Read at length for the third time. Representative Lowman moved the Previous Question. Agreed.

On roll call, the vote was: Yeas 80—Anderson, Arnold, Bach, Bartley, Barton, Baumgardner, Billington, Brown, Buchanan, Buckner, Bush, Casey, Chaudoin, Coffey, Combs, E. E. Cook, Bill Cornett, P. W. Cornett, Cottengim, Crecelius, P. F. Davis, W. F. Davis, Dempsey, Everett, Farmer, Fields, Ford, Greene, Gullette, Hahn, Hale, Haley, Hall, Hart, Henry, Hinkle, Hislope, Hodges, Hopkins, Howard, Huddleston, Isler, H. N. Johnson, Kingsbury, Kubale, Lovelace, Lowman, Lyon, McCallum, McGuire, McReynolds, Mackey, Miller, Moore, Newberry, Nunn, Parrish, Qualls, Ratcliffe, Rausch, Ray, Raybourne, Rayburn, Reed, Render, C. R. Reynolds, R. Reynolds, Richards, Searcy, Smith, Stith, Tanner, Tinsley, Walsh, Wathen, Wells, Williams, Wilson, Wirsch, Young. Nays 5—Burress, Duff, Peace, S. R. Thomas, Whitehead.

HB 1 was passed and the title agreed to.

Representative Lowman moved that the vote by which said bill was passed be reconsidered and said motion be laid on the table. Agreed.

Representative Thomas announced that on the vote of **HB 1** he was pairing with Representative Fitzpatrick who had he been present would have voted yea and Representative Thomas had he not been paired would have voted nay.

Recess

Representative Lowman moved that the House recess until 4:15 P.M. Agreed.

At the appointed hour, Representative Huddleston resumed the Chair and called the House to order.

Mr. Gay requested that Journal show that had he been present he would have voted yea on **HB 1**.

Representative Lowman moved that Susan Kay McQuire be made a page for the day. Agreed.

Representative Lowman moved to adjourn until 1:00 P.M., December 29, 1959. Agreed.

TUESDAY, DECEMBER 29, 1959

SIXTH LEGISLATIVE DAY

The House convened and was called to order by Representative Harry King Lowman.

Prayer by Rev. J. Carter Roberts, Church of the Nazarene, Frankfort, Kentucky.

The roll of the House was called. All present except Representatives Buckner, Cook, Duff, Farmer, Fields, Finney, Fitzpatrick, Hart, Howard, Johnson, Kingsbury, Kubale, Rayburn, Reed, Sowards, Thomas, Walsh, Wathen and Williams.

Motions

Representative Isler moved that the absent members be granted leaves of absence. Agreed.

Representative Lyons moved that the reading of the Journal of the proceedings of Monday, December 28, 1959, be dispensed with and the same be approved.

Said motion agreed to.

Senate Message

Senate message announcing passage of **SR 7** and **SR 8.**

Representative Reynolds moved that the House concur in **SR 7.**

A CONCURRENT RESOLUTION expressing the gratitude of the people for the Eastern Kentucky highway project.

WHEREAS, our Governor has expressed his intention and determination to do all in his power to secure construction of a first class highway through Eastern Kentucky via Campton, Hazard, Whitesburg, Prestonsburg and other towns and cities of this area; and

WHEREAS, the location of such a highway in this area will be a great contribution to the economy of a growing section of our Commonwealth, will prepare the way for establishment of new industry to develop its inexhaustible resources, and will unite all sections of the Commonwealth;

NOW, THEREFORE,

Be it resolved by the Senate of the General Assembly of the Commonwealth of Kentucky, the House of Representatives concurring therein:

That this body, assembled in extraordinary session this December, 1959, reflect the gratitude of the good people of Eastern Kentucky to our Governor, the Honorable Bert T. Combs, by expressing all possible encouragement of this grand highway building project.

SR 7 was adopted.

Representative Reynolds moved that the House concur in **SR 8.**

A CONCURRENT RESOLUTION pertaining to the Warsaw disaster.

WHEREAS, the town of Warsaw, county of Gallatin, has, during the peace and quiet of this Holiday Season, been visited by calamity and misfortune, destroying or damaging schools, churches, homes and businesses and resulting in personal injury and distress to many of its good citizens; and

WHEREAS, the time and suddenness of the occurrence has shocked and aroused the sympathy of the people of the entire Commonwealth;

NOW, THEREFORE,

Be it resolved by the Senate of the General Assembly of the Commonwealth of Kentucky, the House of Representatives concurring:

Section 1. That to fellow-citizens and neighbors of the Commonwealth, the members of the General Assembly, for themselves and on behalf of their constituents, express their deepest sympathy in this time of misfortune and distress; to the officials of town and county, guardians of the peace and happiness of their citizens, all possible cooperation and assistance in the work of rehabilitation; and to the injured in person or property, our hope for a speedy recovery from the misfortune that has befallen them.

Section 2. That the clerk of the Senate is directed to mail copies of this Resolution to the Judge of Gallatin County and to the Mayor of the City of Warsaw.

SR 8 was adopted.

Introduction of Resolutions

HR 11, by Representative Hopkins:

A RESOLUTION directing the Legislative Research Commission to examine and report on the causes of the need for constitutional revision.

WHEREAS, it appears that the question whether to take the sense of the people on calling a constitutional convention will be decided by the 1960 General Assembly; and

WHEREAS, that body will not have much time to study this serious question; and

WHEREAS, a concise summary of the causes of the need for revision has not yet been made available;

NOW, THEREFORE,

Be it resolved by the House of Representatives of the Commonwealth of Kentucky:

That the Legislative Research Commission examine the constitution for the purpose of amplification, clarification and summary of the issues involved and publish a report of its examination for the use of the members of the 1960 session of the General Assembly.

Representative Hopkins moved the adoption of **HR 11.** Adopted.

HR 12, by Representative Buckner and Brown: A RESOLUTION promoting and adding dignity to membership in the Senate.

Representative Lowman referred **HR 12** to Rules Committee.

Representative Everett moved to adjourn until 9:00 A.M. (C.S.T.) December 30. Agreed.

WEDNESDAY, DECEMBER 30, 1959

SEVENTH LEGISLATIVE DAY

The House convened and was called to order by Representative Harry King Lowman.

Prayer by Dr. Fred T. Moffatt, First Baptist Church, Frankfort, Kentucky.

The roll of the House was called. All present Except Representatives Barton, Buchanan, Burress, Casey, M. W. Cook, Fitzpatrick, Kingsbury, Lovelace, McGuire, Moore, Rayburn, C. R. Reynolds, Sowards, Ed Thomas, Stanley R. Thomas, Wathen, and Williams.

Motions

Representative Lyon moved that the absent members be granted leave of absence. Agreed.

Representative Isler moved that the reading of the Journal of the proceedings of Monday, December 28, 1959, be dispensed with and the same be approved.

Senate Message

Senate message announcing passage of **HR 6.**

Report on Enrolled Bills

Committee on Enrollment reported that **HR 6** had been examined and found correctly enrolled. Said bill read at length, compared, and signed in open session by the Speaker. Ordered delivered to the Senate.

HR 6 delivered, signed by President of the Senate. Ordered delivered to the Governor.

Recess

Representative Everett moved that the House recess. Agreed.

The Speaker resumed the Chair and called the House to order.

Senate Message

Senate Message announcing passage of **SR 11** and **HB 1.**

Report on Enrolled Bills

Committee on Enrollment reported that **HB 1** had been examined and found correctly enrolled. Said bill read at length, compared, and signed in open session by the Speaker.

HB 1 delivered, signed by President of the Senate. Ordered delivered to the Governor.

Representative Everett moved that the House concur in **SR 11:**

A CONCURRENT RESOLUTION providing for sine die adjournment of the 1959 Extraordinary Session of the General Assembly.

Be it resolved by the Senate of the Commonwealth of Kentucky, the House of Representatives concurring therein:

That when the Senate and House of Representatives adjourn on December 30, 1959, they do adjourn sine die.

SR 11 was adopted.

The Speaker appointed a Committee to join a similar Committee from the Senate to wait upon the Governor to notify him that the business of the House had been concluded and to inquire if he has further business to communicate. Agreed.

The Speaker appointed the following committee: Representatives Everett, Wirsch, Searcy, Parrish and Walsh.

Representative Everett moved that the Journal for the day be approved. Agreed.

Representative Everett moved that the House adjourn sine die. Agreed.

The House adjourned sine die.

APPROVED:
Harry King Lowman
Speaker Pro Tempore

ATTEST:
Brooks Hargrove
Assistant Clerk

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HR 2 Directing appointment of committees to notify Senate of House Organization. (Everett)

HR 3 Empowering Speaker to appoint committees. (Everett)

HR 4 Appointing officers and employes. (Everett)

HR 5 Inviting pastors to open sessions with prayer. (Everett)

HJR 6 Appropriating for expenses of 1959 Extraordinary Session. (Everett)

HR 7 Adjourning December 22, 1959 in memory of Representatives Clore, Johnson, Kincer. (Hale and others)

HCR 8 Adjourning December 23, 1959 to reconvene December 28, 1959. (Lowman)

HR 9 Expressing concern for the health of Representative Thomas P. Fitzpatrick. (Cottengim)

HR 10 Expressing concern for the health of Representative Marlow W. Cook. (Hislope)

HR 11 Directing Legislative Research Commission to study causes of need for constitutional convention. (Hopkins)

HR 12 Promoting and adding dignity to Senate membership. (Buckner and others)

		Introduced	Reported	Readings 1st	Readings 2nd	Readings 3rd	Adopted	Senate Message	Enrolled	Other Action
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History of Senate Resolutions

Numbers refer to page of House Journal. Text of resolution is given on first reading or adoption. Joint resolutions are designated SJR; concurrent resolutions are designated SCR.

SCR 7 Expressing gratitude of people for Eastern Kentucky Highway. (Fields and others)

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